

AMENDED IN ASSEMBLY APRIL 18, 2005

AMENDED IN ASSEMBLY APRIL 4, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1145

Introduced by Assembly Member Huff
(Coauthors: Assembly Members Shirley Horton, Karnette,
Mountjoy, Pavley, and Villines)

February 22, 2005

An act to amend Section 4851 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1145, as amended, Huff. Developmental disability: habilitation services.

Existing law establishes the Habilitation Services Program under the administration of the State Department of Developmental Services. Existing law establishes the hourly rate for supported employment services provided to clients receiving individualized services and group services under the program. Existing law defines “group services” for purposes of this program as job coaching in a group supported employment placement at a job coach-to-consumer ratio of not less than 1:4 nor more than 1:8 when a minimum of 4 consumers are funded by the regional center or the department.

This bill would instead define “group services” as job coaching in a group supported employment placement at a job coach-to-consumer ratio of not less than 1:3 nor more than 1:8 when a minimum of 3 consumers are funded by the regional center or the department.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 4851 of the Welfare and Institutions Code is amended to read:

4851. The definitions contained in this chapter shall govern the construction of this chapter, with respect to habilitation services provided through the regional center, and unless the context requires otherwise, the following terms shall have the following meanings:

(a) "Habilitation services" means community-based services purchased or provided for adults with developmental disabilities, including services provided under the Work Activity Program and the Supported Employment Program, to prepare and maintain them at their highest level of vocational functioning, or to prepare them for referral to vocational rehabilitation services.

(b) "Individual program plan" means the overall plan developed by a regional center pursuant to Section 4646.

(c) "Individual habilitation service plan" means the service plan developed by the habilitation service vendor to meet employment goals in the individual program plan.

(d) "Department" means the State Department of Developmental Services.

(e) "Work activity program" includes, but is not limited to, sheltered workshops or work activity centers, or community-based work activity programs certified pursuant to subdivision (f) or accredited by CARF, the Rehabilitation Accreditation Commission.

(f) "Certification" means certification procedures developed by the Department of Rehabilitation.

(g) "Work activity program day" means the period of time during which a Work Activity Program provides services to consumers.

(h) "Full day of service" means, for purposes of billing, a day in which the consumer attends a minimum of the declared and approved work activity program day, less 30 minutes, excluding the lunch period.

(i) "Half day of service" means, for purposes of billing, any day in which the consumer's attendance does not meet the criteria for billing for a full day of service as defined in

1 subdivision (g), and the consumer attends the work activity
2 program not less than two hours, excluding the lunch period.

3 (j) “Supported employment program” means a program that
4 meets the requirements of subdivisions (n) to (s), inclusive.

5 (k) “Consumer” means any adult who receives services
6 purchased under this chapter.

7 (l) “Accreditation” means a determination of compliance with
8 the set of standards appropriate to the delivery of services by a
9 work activity program or supported employment program,
10 developed by CARF, the Rehabilitation Accreditation
11 Commission, and applied by the commission or the department.

12 (m) “CARF” means CARF the Rehabilitation Accreditation
13 Commission.

14 (n) “Supported employment” means paid work that is
15 integrated in the community for individuals with developmental
16 disabilities.

17 (o) “Integrated work” means the engagement of an employee
18 with a disability in work in a setting typically found in the
19 community in which individuals interact with individuals without
20 disabilities other than those who are providing services to those
21 individuals, to the same extent that individuals without
22 disabilities in comparable positions interact with other persons.

23 (p) “Supported employment placement” means the
24 employment of an individual with a developmental disability by
25 an employer in the community, directly or through contract with
26 a supported employment program. This includes provision of
27 ongoing support services necessary for the individual to retain
28 employment.

29 (q) “Allowable supported employment services” means the
30 services approved in the individual program plan and specified in
31 the individual habilitation service plan for the purpose of
32 achieving supported employment as an outcome, and may
33 include any of the following:

34 (1) Job development, to the extent authorized by the regional
35 center.

36 (2) Program staff time for conducting job analysis of
37 supported employment opportunities for a specific consumer.

38 (3) Program staff time for the direct supervision or training of
39 a consumer or consumers while they engage in integrated work
40 unless other arrangements for consumer supervision, including,

1 but not limited to, employer supervision reimbursed by the
2 supported employment program, are approved by the regional
3 center.

4 (4) Community-based training in adaptive functional and
5 social skills necessary to ensure job adjustment and retention.

6 (5) Counseling with a consumer's significant other to ensure
7 support of a consumer in job adjustment.

8 (6) Advocacy or intervention on behalf of a consumer to
9 resolve problems affecting the consumer's work adjustment or
10 retention.

11 (7) Ongoing support services needed to ensure the consumer's
12 retention of the job.

13 (r) "Group services" means job coaching in a group supported
14 employment placement at a job coach-to-consumer ratio of not
15 less than one-to-three nor more than one-to-eight where services
16 to a minimum of three consumers are funded by the regional
17 center or the ~~department~~ *Department of Rehabilitation*. For
18 consumers receiving group services, ongoing support services
19 shall be limited to job coaching and shall be provided at the
20 worksite.

21 (s) "Individualized services" means job coaching and other
22 supported employment services for regional center-funded
23 consumers in a supported employment placement at a job
24 coach-to-consumer ratio of one-to-one, and that decrease over
25 time until stabilization is achieved. Individualized services may
26 be provided on or off the jobsite.